

AGENDA  
BOARD OF CITY COMMISSIONERS  
December 2, 2013 AT 6:30 P.M.  
COMMISSION CHAMBERS AT CITY HALL  
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Consider approval of Agenda:
2. Consider approval of Consent Agenda:
  - a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 9.
  - b. Minutes from the November 18, 2013 regular meeting
  - c. Acknowledge the following minutes:
    - Beautification Committee minutes from September 12, 2013
  - d. Authorize staff to advertise for bids on mowing of rank weeds and grass and debris removal.
3. Commissioners Comments
4. Citizens Participation
  - (A three minute limit per person)
  - (A twelve minute limit per topic)
5. City Manager's Presentation of Oklahoma Municipal League certificates to employees with 25 or more years of service with the City of Shawnee.
  - David Short            Carl Jacobs
  - Randy Newton        Michael Likens
  - Michael Jackson
6. Presentation of a web site for the Parks Department created by the Oklahoma Baptist University College of Nursing students.

7. Discussion, consideration and possible action on an ordinance amending Chapter 19 Article XI, Section 19-726 (b) (7) traffic schedules Division 5, of the code of ordinances of the City of Shawnee, Oklahoma, reducing the speed limits where not otherwise specified by law, providing for repeal; providing for severability and providing for codification;
8. Discussion, consideration and possible action on an ordinance amending Article II Division 4 of Chapter 25, sales tax, of the code of ordinances of the City of Shawnee, Oklahoma, making it an offense to fail to make reports and remittances as required or making a false or fraudulent report; setting a penalty; providing for repeal; providing for severability; providing for codification; and declaring an emergency.
9. Consider Bids / Proposals:
  - a. Proposals for Snow and Ice Removal Assistance (Open)
10. New Business  
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
11. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

**Regular Board of Commissioners**

**2. a.**

**Meeting Date:** 12/02/2013

Open Bids

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 9.

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**Regular Board of Commissioners**

**2. b.**

**Meeting Date:** 12/02/2013

Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Minutes from the November 18, 2013 regular meeting

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Attachments

Minutes

**BOARD OF CITY COMMISSIONERS PROCEEDINGS**  
**NOVEMBER 18, 2013 AT 6:30 P.M.**

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session in the Commission Chambers at City Hall, 9th and Broadway, Shawnee, Oklahoma, Monday, November 18, 2013 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Mainord presided and called the meeting to order. Upon roll call, the following members were in attendance.

Wes Mainord  
Mayor

Absent  
Commissioner Ward 1

Linda Agee  
Commissioner Ward 2

James Harrod  
Commissioner Ward 3-Vice Mayor

Keith Hall  
Commissioner Ward 4

John Winterringer  
Commissioner Ward 5

Steve Smith  
Commissioner Ward 6

ABSENT: Pam Stephens

INVOCATION

Lord's Prayer led by Mayor Mainord

FLAG SALUTE

Led by Commissioner Winterringer

AGENDA ITEM NO. 1:

Consider approval of Agenda.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to approve the Agenda. Motion carried 6-0.

AYE: Harrod, Hall, Winterringer, Smith, Agee, Mainord

NAY: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR  
TO CONVENE SHAWNEE MUNICIPAL AUTHORITY (6:33 p.m.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE  
CHAIR (7:30 p.m.)

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the November 4, 2013 regular meeting and the November 12, 2013 special called retreat meeting
- b. Budget Amendment CDBG Entitlement Grant Fund 2013
- c. Acknowledge the following minutes and reports:
  - Planning Commission minutes from the October 2, 2013 meeting
  - License Payment Report for October 2013
  - Project Payment Report for October 2013
- d. Acknowledge Commission and Related Authorities meeting schedule for 2014
- e. Acknowledge Wes Watkins Oversight Committee Meeting schedule and final budget data for 2012-13 season
- f. Authorize staff to advertise for bids on construction of an observation tower at the Police Department gun range
- g. Approve agreement with AT&T for telephone service
- h. Lake Lot Leases:

Renewals

- Lot 4 Coffman Tract, 15401 Perry Road  
Perry Gatewood and Elizabeth Gatewood
- Lot 24/25 Belcher Tract, 33504 Post Office Neck  
Scott Lackey
- Lot 6 Renfro Tract, 15812 Sleepy Hollow Road  
Lesalee Hinkle

- Lot 8 Eckel Tract, 15203 Eckel Road  
Henry Davis
- j. Authorize purchase of two staff vehicles from the state contract price and amend budget (Fund 301) for purchase of these vehicles
- k. Authorize staff to advertise for bids for ADA compliant restroom at City Hall

A motion was made by Commissioner Hall, seconded by Vice Mayor Harrod, to approve the Consent Agenda Item Nos. 2(a-k). Motion carried 6-0.

AYE: Hall, Harrod, Mainord, Winterringer, Smith, Agee

NAY: None

AGENDA ITEM NO. 3: Commissioners Comments

Mayor Mainord said he had been advised by City Attorney Mary Ann Karns that Commissioners' Comments needs to be limited to general comments only. Ms. Karns explained that when Commissioners request information from staff or discuss items that are not otherwise listed on the agenda, the public has not received proper notification that the discussion will occur.

Vice Mayor Harrod said that the recently completed Federal Street Bridge looks nice.

Commissioner Agee reminded everyone that the Saturday after Thanksgiving is Small Business Saturday and urged everyone to support small businesses.

AGENDA ITEM NO. 4: Citizens Participation  
(A three minute limit per person)  
(A twelve minute limit per topic)

Dr. Joe Taron stated that he concurs completely with the fluoride presentation and thanked the Commission for moving it to the beginning of the meeting.

AGENDA ITEM NO. 5: Presentation and progress report by Municipal Pool Finance Committee regarding fund raising.

Mr. John Ayers said that the Municipal Pool Finance Committee has done an outstanding job raising funds for the Municipal Pool. He provided Commissioners with a copy of the current financial picture showing amount raised, amount pledged and the amount still needed. The City of Shawnee's commitment to the project is \$3,000,000 with private donations raised and Avedis Foundation matching funds of \$1,233,200 needed for the project. Mr. Ayers stated that there is \$110,935 still to be raised to meet their goal.

AGENDA ITEM NO. 6: Consider approval of a revised preliminary plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur.  
Case #S07-13B Applicant: Justin Ramer

Staff report was given by Community Development Director Justin Erickson.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to approve the preliminary plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur with the following conditions:

1. Final improvement plans shall be approved by the City Engineer prior to construction.
2. Prior to filing (recording) the final plat, the applicant shall commence with making the required public site improvements in accordance with construction plans approved by the City Engineer or otherwise bond the project in accordance with City code.
3. Sidewalks shall be installed in accordance with the City's sidewalk ordinance and the sidewalk for Common Lot A (along Acme Road) shall be constructed concurrent with the building permit for Phase 2, Lot I (Lot 2 of preliminary plat).
4. The proposed Lot 5 of the preliminary plat shall meet the minimum frontage requirements set forth in the Shawnee Zoning Ordinance.
5. All other applicable City standards apply.

Motion carried 6-0.

AYE: Harrod, Hall, Winterringer, Smith, Agee, Mainord

NAY: None



AGENDA ITEM NO. 7:

Consider approval of a final plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur.  
Case #S07-13 Applicant: Justin Ramer

Staff report was given by Justin Erickson.

A motion was made by Commissioner Hall, seconded by Vice Mayor Harrod, to approve the final plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur with the following conditions:

1. Final improvement plans shall be approved by the City Engineer prior to construction.
2. Prior to filing (recording) the final plat, the applicant shall commence with making the required public site improvements in accordance with construction plans approved by the City Engineer or otherwise bond the project in accordance with City code.
3. Sidewalks shall be installed in accordance with the City's sidewalk ordinance and the sidewalk for Common Lot A (along Acme Road) shall be constructed concurrent with the building permit for Phase 2, Lot 1 (Lot 2 of preliminary plat).
4. The proposed Lot 5 of the preliminary plat shall meet the minimum frontage requirements set forth in the Shawnee Zoning Ordinance.
5. All other applicable City standards apply.

Motion carried 6-0.

AYE: Hall, Harrod, Mainord, Winterringer, Smith, Agee

NAY: None

AGENDA ITEM NO. 8:

Public hearing and consideration of an ordinance modifying rules applicable to vehicles for hire/taxicabs contained within Chapter 8, Article X of the Shawnee Municipal Code.

*Public hearing continued from November 4, 2013 meeting.*

Mayor Mainord declared the public hearing continued from November 4, 2013 in session to consider an ordinance modifying rules applicable to vehicles for hire/taxicabs contained within Chapter 8, Article X of the Shawnee Municipal Code.

Community Development Director Justin Erickson advised that the ordinance has been slightly modified from the ordinance proposed at the November 4, 2013 meeting to address a dispatch issue.

Gloria Wallace Hutchison, representing Executive Cab Company, spoke against the ordinance. She stated that most of their customers are poverty stricken and cannot afford the larger fares associated with using meters in their taxis. While she agreed that fares do need to be increased, she stated that using the existing zone system keeps the playing field even. She said that meters would cause an arbitrary fare rate, because the meter would keep running at red lights, traffic incidents, etc. Further, that her clientele would need to be educated regarding meters and the rates associated with them.

Commissioner Hall said the zone system appears complicated and felt that the metered system is pretty simple.

After some discussion regarding having all the parties meet for more discussion, Mr. Erickson addressed some of the issues expressed by Ms. Hutchison. He noted that the proposed ordinance allows individual cab companies to set their rates annually. Further, the current zone system is not understandable and is not codified by city code. The proposed ordinance does not require waiting time to be charged, nor is there a fee requirement for additional passengers. Mr. Erickson further provided chronological dates in which the proposed ordinance was discussed with the parties and noted that on October 18, 2013, Executive Cab Company representatives said they would provide staff with a proposed modified zone rate structure. This document was not received by the November 4<sup>th</sup> meeting, when this matter was first presented to the Commission.

No one else appeared to speak in favor or opposition of this ordinance. The public hearing was closed.

A motion was made by Commissioner Smith, seconded by Commissioner Hall, to approve the ordinance modifying rules applicable to vehicles for hire/taxicabs contained within Chapter 8, Article X of the Shawnee Municipal Code with an effective date of March 1, 2014. Section 29 of the proposed ordinance will be amended to reflect the new effective date.

Ordinance No. 2521NS was introduced.

AN ORDINANCE OF THE CITY OF SHAWNEE REVISING CHAPTER 8, ARTICLE X – VEHICLES FOR HIRE, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Motion carried 6-0.

AYE: Smith, Hall, Winterringer, Agee, Harrod, Mainord

NAY: None

Ordinance No. 2521NS was adopted by the City Commission.

AGENDA ITEM NO. 9: Consider an ordinance on façade requirements in commercial zoned districts.

Mr. Erickson spoke regarding this ordinance, explaining that it is a follow-up from the façade presentation from the November 4, 2013 meeting.

A motion was made by Commissioner Winterringer, seconded by Vice Mayor Harrod, to approve an ordinance on façade requirements in commercial zoned districts. It was determined by the Commission that an emergency clause will be necessary with this ordinance, allowing it to be in full force and effect from the date of passage.

Ordinance No. 2522NS was introduced.

AN ORDINANCE RELATING TO CONSTRUCTION AND DESIGN REQUIREMENTS FOR BUILDINGS, AMENDING THE SHAWNEE MUNICIPAL CODE, CHAPTER 22: PLANNING AND DEVELOPMENT, AS MORE SPECIFICALLY SET FORTH HEREIN, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

Motion carried 6-0.

AYE: Winterringer, Harrod, Mainord, Hall, Smith, Agee

NAY: None

Ordinance No. 2522NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Winterringer, to approve emergency clause relating to Ordinance No. 2522NS. Motion carried 6-0.

AYE: Harrod, Winterringer, Smith, Agee, Mainord, Hall

NAY: None

AGENDA ITEM NO. 10: Consider an ordinance amending the No Parking on portions of certain streets and

naming the streets where parking is prohibited.

*Added no parking on E. Chicago from Union west to mid-block, both sides of street, as approved 11-04-13*

City Engineer John Krywicki explained that this ordinance is formalization of the decision Commissioners made at the November 4, 2013 meeting to prohibit parking on East Chicago near Will Rogers School.

A motion was made by Commissioner Hall, seconded by Commissioner Winterringer, to approve an ordinance amending the No Parking on portions of certain streets and naming the streets where parking is prohibited.

Ordinance No. 2523NS was introduced.

AN ORDINANCE AMENDING SECTION 16-138, CHAPTER 16, ARTICLE V OF THE CODE OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING FOR NO PARKING ON PORTIONS OF CERTAIN STREETS; NAMING SAID STREETS; DESIGNATING THE PORTIONS WHERE PARKING IS PROHIBITED AND OTHER CONDITIONS RELATING TO PARKING; AND DECLARING AN EMERGENCY.

Motion carried 6-0.

AYE: Hall, Winterringer, Smith, Agee, Harrod, Mainord

NAY: None

Ordinance No. 2523NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Winterringer, to approve emergency clause relating to Ordinance No. 2523NS. Motion carried 6-0.

AYE: Harrod, Winterringer, Smith, Agee, Mainord, Hall

NAY: None

AGENDA ITEM NO. 11: Acknowledge Sales Tax Report received November 2013.

Cynthia Sementelli, Finance Director, reported that November Sales Tax receipts were up \$246,043.00 this month or 19.63% compared to last year actual for the same time frame. November Sales tax amount received plus interest was

\$1,499,183.00, which accumulatively for the fiscal year we are up \$477,277.00 or 7.07%.

AGENDA ITEM NO. 12: City Manager's Report.

City Manager Brian McDougal reported on the following:

1. He and Shawnee Economic Development Foundation Director Tim Burg attended the International Conference of Shopping Centers (ICSC) and met with retailers.
2. He and Chief Information Office Stephon Nolen have met with the National Native American Broadband Association regarding fiber communication. He also discussed BCI's commitment to the Shawnee area and their upgrade to the existing cable system.
3. The County 911 board voted to not merge with the City of Shawnee's dispatch center. Shawnee will continue with their dispatch center upgrades.
4. Spoke with Burlington Northern Santa Fe (BNSF) Railroad about cleaning up their areas in order to help with the homeless situation.
5. The City has taken steps in sales tax collection and compliance by hiring a part time employee to monitor and audit businesses.
6. He has met with Oklahoma Baptist University's (OBU) president and finance director to discuss getting/keeping students on campus and their long-term goal to move the football stadium north of MacArthur Street.

AGENDA ITEM NO. 13: New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 14: Administrative Reports

There was no Administrative Reports.

AGENDA ITEM NO. 15: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:48 p.m.)

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WES MAINORD, MAYOR

ATTEST:

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PHYLLIS LOFTIS, CMC, CITY CLERK

**Regular Board of Commissioners**

**2. c.**

**Meeting Date:** 12/02/2013

Beautification Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Acknowledge the following minutes:

- Beautification Committee minutes from September 12, 2013
- 

Attachments

Beautification Minutes

Mayor

WES MAINORD



# The City of Shawnee

PO Box 1448

Shawnee Oklahoma 74802-1448

(405) 273-1250 Fax (405) 878-1581

[www.ShawneeOK.org](http://www.ShawneeOK.org)

## Commissioners

PAM STEPHENS

LINDA AGEE

JAMES HARROD

KEITH HALL

JOHN WINTERRINGER

STEVE SMITH

### Minutes

#### Shawnee Beautification Committee

SEPTEMBER 12, 2013

The Shawnee Beautification Committee met in the EOC Room

The meeting was called to order at 4:00 pm

Roll Call was taken showing the following members present:

		Present	Absent
Member	Robert Cash, Chairman	<u>X</u>	_____
Member	Paul Malley, Vice Chairman	<u>X</u>	_____
Member	Nancy Ford	<u>X</u>	_____
Member	Janet Turner	<u>X</u>	_____
Member	Tom Terry	<u>X</u>	_____
Member	Linda Malley	<u>X</u>	_____
City Staff	James Bryce	<u>X</u>	_____
City Staff	Whisper Peace	<u>X</u>	_____
City Staff	Justin Erickson	<u>X</u>	_____
Visitor	Keenan English		Assistant Airport Manager
Visitor	Justin DeBruin		Assistant City Planner
Visitor	Theresa Hendrix		YMCA Director CEO

**AGENDA NO 2**     **Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared.

**AGENDA NO 3**     **Approved Minutes for July 2013.** The minutes for July 2013 were approved with a motion made by Janet Turner and 2<sup>nd</sup> by Linda Malley. The motion carried unanimously.

**AGENDA NO 4**     **Acknowledge there was no meeting for August.** Group acknowledged there was no meeting in August.

**AGENDA NO 5**     **Discussion on Airport Landscaping.** (Tom Terry) Tom Terry stated that St. Anthony contacted him wanting to do some community service. Tom thought that the Airport flower beds would be a good project. Tom passed around a drawing of the project. Project would be in the center island and use some of the existing plants. Keenan English was on hand for the discussion, he has already purchased the rock that will replace the wood mulch because of the wind issue. Estimated cost for the project is \$350.00 and that would be paid for by the Chamber Beautification and Enhancement Committee. Project will be completed in time for the Fly-In on Oct. 5<sup>th</sup>.

**AGENDA NO 6**     **Discussion on the September 14<sup>th</sup> Work Day.** (Tom Terry) The work day will be on Bell St. and volunteers will trim back some of the plantings.



**AGENDA NO 7**

**Old Business.**

A) Update on the demolition of the restaurant at I-40 and Harrison. (Janet Turner)  
Justin explained that a Contractor is bringing down the building now. There was also some discussion about the tall grass lining the drive to the building, Code Enforcement will deal with the grass.

B) Update on the Harrison Planter. (Tom Terry)

The contractor that is drawing up the quote is behind. James Bryce has spoken with the contractor this week. The sign will need to be removed and taken to the contractors shop for the addition of the new rock. There was discussion on what plants need to be replaced and how we were going to put down more mulch.

**AGENDA NO 8**

**New Business.**

Discussion on Beautification Awards. The second round will end September 30<sup>th</sup>, at that time entries will be looked at and decided on. Janet Turner will get an ad in the news paper informing citizens.

Discussion on the StreetScape Project. Engineering is being done in house and the project will not start until after the Christmas Parade. Project will include all new utilities and will cover 4 to 5 blocks.

**AGENDA NO 9**

**Comments.** Justin Ericson mentioned that the next round of Façade grants is open for submittal.

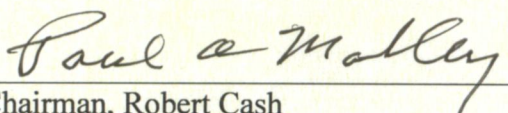
Discussion on the recycling program that will be starting up in Shawnee soon.

Discussion on the YMCA looking at expanding their inside sports and looking at other buildings close to their area where they could hold those events.

Discussion on the group cleaning out the creeks around town.

**AGENDA NO 10**

**Adjournment.** Committee adjourned at 4:50 pm

  
\_\_\_\_\_  
Chairman, Robert Cash

  
\_\_\_\_\_  
Date

**Regular Board of Commissioners**

**2. d.**

**Meeting Date:** 12/02/2013

RFQ for Parks Master Plan

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Authorize staff to advertise for bids on mowing of rank weeds and grass and debris removal.

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Attachments

RFQ Parks Master Plan

**Mayor**  
WES MAINORD



**The City of Shawnee**  
*Office of the Director of Operations*

P.O. Box 1448  
Shawnee, Oklahoma 74802-1448  
(405) 878-1529 Fax (405) 878-1593  
[www.ShawneeOK.org](http://www.ShawneeOK.org)

**Commissioners**

PAM STEPHENS  
LINDA AGEE  
JAMES HARROD  
KEITH HALL  
JOHN WINTERRINGER  
STEVE SMITH

**Date:** November 22, 2013  
**To:** Mayor and City Commissioners  
**From:** James Bryce, Director of Operations  
**RE: City of Shawnee Parks Master Plan**

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**Nature of the Request:**

Request for Proposals for the City of Shawnee Parks Master Plan

**Staff Analysis, Considerations:**

This would be the first Master Plan that the City has done for the Parks System. The Plan would look at all of the Parks including the Lake area inventorying all assets, looking at landscaping and ADA accessibility and developing a plan to begin much needed upgrades. The plan will also look at the demographics of the area surrounding each park and having public meetings to make sure than when we do upgrades to each park that we are taking care of the needs for that community.

**Recommendation:**

It is staff's recommendation to ask for proposals on the City of Shawnee Parks Master Plan

**Budget Consideration:**

Project is funded out of the Capital Outlay budget.

Account # 301 5-0940-5420 409 0940-06      Parks Master Plan      \$25,000.00

**Regular Board of Commissioners**

**5.**

**Meeting Date:** 12/02/2013

CM Presentation

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

City Manager's Presentation of Oklahoma Municipal League certificates to employees with 25 or more years of service with the City of Shawnee.

David Short

Carl Jacobs

Randy Newton

Michael Likens

Michael Jackson

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**Regular Board of Commissioners**

**6.**

**Meeting Date:** 12/02/2013

Web Site

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Presentation of a web site for the Parks Department created by the Oklahoma Baptist University College of Nursing students.

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**Regular Board of Commissioners**

7.

**Meeting Date:** 12/02/2013

Ordinance

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Discussion, consideration and possible action on an ordinance amending Chapter 19 Article XI, Section 19-726 (b) (7) traffic schedules Division 5, of the code of ordinances of the City of Shawnee, Oklahoma, reducing the speed limits where not otherwise specified by law, providing for repeal; providing for severability and providing for codification;

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Attachments

Speed Limit Change

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 19 ARTICLE XI, SECTION 19-726 (b) (7) TRAFFIC SCHEDULES DIVISION 5, OF THE CODE OF ORDINANCES OF THE CITY OF SHAWNEE, OKLAHOMA, REDUCING THE SPEED LIMITS WHERE NOT OTHERWISE SPECIFIED BY LAW, PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY AND PROVIDING FOR CODIFICATION;**

**Whereas**, the speed limit on city streets, unless otherwise specified by law, is thirty (30) miles per hour; and

**Whereas**, the Mayor and City Commissioners have determined that such speed should be reduced in order to provide for public safety:

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA THAT CHAPTER 19 OF THE MUNICIPAL CODE BE AMENDED AS FOLLOWS:**

**SECTION 1:** Section 19-726 (b) (7) Twenty-five miles per hours in any other part of the city.

**SECTION 2: REPEALER.** All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

**SECTION 3: CODIFICATION.** This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

**SECTION 4: SEVERABILITY.** The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
WES MAINORD, MAYOR

**ATTEST:**

\_\_\_\_\_  
PHYLLIS LOFTIS, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS \_\_\_\_ day of \_\_\_\_\_,  
2013.

\_\_\_\_\_  
MARY ANN KARNS  
CITY ATTORNEY

**Regular Board of Commissioners**

8.

**Meeting Date:** 12/02/2013

Ordinance Sales Tax Collection

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Discussion, consideration and possible action on an ordinance amending Article II Division 4 of Chapter 25, sales tax, of the code of ordinances of the City of Shawnee, Oklahoma, making it an offense to fail to make reports and remittances as required or making a false or fraudulent report; setting a penalty; providing for repeal; providing for severability; providing for codification; and declaring an emergency.

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Attachments

Sales Tax Collection Amendment



ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING ARTICLE II DIVISION 4 OF CHAPTER 25, SALES TAX, OF THE CODE OF ORDINANCES OF THE CITY OF SHAWNEE, OKLAHOMA, MAKING IT AN OFFENSE TO FAIL TO MAKE REPORTS AND REMITTANCES AS REQUIRED OR MAKING A FALSE OR FRAUDULENT REPORT; SETTING A PENALTY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the collection of sales tax is essential for the operations of the city of Shawnee, Oklahoma; and

**WHEREAS**, the Oklahoma tax commission lacks sufficient resources to enforce the provisions of law requiring reporting and proper remittance; and

**WHEREAS**, the city of Shawnee, Oklahoma, is authorized to assist in such enforcement; and

**WHEREAS**, the enforcement of collections will assist the city to provide for public health, safety and welfare:

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA, THAT CHAPTER 25 OF THE SHAWNEE MUNICIPAL CODE BE AMENDED AS FOLLOWS:**

**SECTION 1.** Section 25-128 - Failure To File; Fraudulent Returns; Penalties is hereby amended to provide: In addition to all civil penalties provided by this article, the willful failure or refusal of any taxpayer to make reports and remittances herein required, or the making of any false and fraudulent report for the purpose of avoiding or escaping payment of any tax or portion thereof rightfully due under this article shall be an offense, and upon conviction thereof, the offending taxpayer shall be subject to punishment in an amount not to exceed \$500.

**SECTION 2. REPEALER.** All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

**SECTION 3. CODIFICATION.** This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

**SECTION 4. SEVERABILITY.** The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

**SECTION 5. EMERGENCY.** Because it is necessary for the protection of the public's health, safety, and welfare, an emergency is declared to exist. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
WES MAINORD, MAYOR

**ATTEST:**

\_\_\_\_\_  
PHYLLIS LOFTIS, CMC, CITY CLERK

Emergency separately approved this \_\_\_\_ day of \_\_\_\_\_, 2013:

\_\_\_\_\_  
WES MAINORD, MAYOR

**ATTEST:**

\_\_\_\_\_  
PHYLLIS LOFTIS,CMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS \_\_\_\_ day of \_\_\_\_\_,  
2013.

\_\_\_\_\_  
MARY ANN KARNS  
CITY ATTORNEY

**Regular Board of Commissioners**

**9. a.**

**Meeting Date:** 12/02/2013

Proposals Snow and Ice Removal

Submitted By: Donna Mayo, Administration

Department: Administration

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Information

Title of Item for Agenda

Proposals for Snow and Ice Removal Assistance (Open)

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Attachments

Notice & Bidders List

**CITY OF SHAWNEE OKLAHOMA**

**NOTICE TO PROSPECTIVE CONTRACTORS FOR THE REMOVAL OF SNOW AND ICE FROM THE STREETS OF THE CITY OF SHAWNEE**

Notice is hereby given that the City of Shawnee desires to receive proposals for the removal of snow and ice from city streets within the City of Shawnee. The intent of this project is to augment City streets crews.

Prospective contractors may obtain Proposal Documents in the Office of the City Clerk, City Hall Building, 16 W. 9th, Shawnee, Oklahoma 74801, and shall sign the Proposal Documents Receipt List.

Proposals shall be based upon the Plans and Specifications and other documents in the Proposal Documents Package. Proposals will be received in the Office of the City Clerk, 16 W. 9th, Shawnee, Oklahoma 74801, by no later than 4:00 P.M. on Monday, December 2, 2013. All proposals timely received will be opened and reviewed by the City Emergency Management Director. The Emergency Management Director reserves the right to recommend that the City Commission of the City of Shawnee reject any or all proposals and to recommend that the Commission waive immaterial defects and irregularities. In order to maximize available resources, a recommendation may be made to award contracts to multiple vendors.

The City Emergency Management Director may issue addenda as may be necessary in the best interest of the public and the City of Shawnee. Addenda may amend the date and/or time for receipt of proposals or any specification, item, document or requirement in the Proposal Documents

The Point of Contact for this project is Frank Loman, City Street Superintendent who may be reached at telephone number 1-405-650-8602. Contractors are encouraged to visit with the Street Superintendent to obtain all details needed prior to submitting their proposal so that their proposal is complete and total.

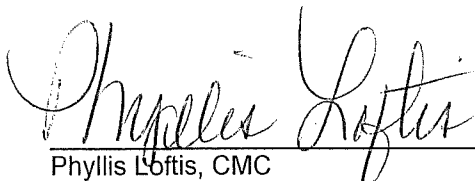
The Contractor shall use the Proposal Forms and Affidavits provided in the Proposal Documents or photocopies thereof. All forms must be signed and all affidavits sworn to and notarized. All proposals shall be typewritten or legibly printed in ink. Contractor shall file the proposal in a sealed envelope. Each envelope shall bear a legible notation thereon that it is a proposal upon the project proposed.

The successful contractor(s) shall deliver the executed Contract and the certificates of insurance to the City prior to the commencement of work and shall deliver the executed bonds within ten (10) calendar days following the City's notification of its intent to award Contract, unless that time is extended by the City Emergency Management Director.



Signed: \_\_\_\_\_  
Brian McDougal  
City Manager

Date: \_\_\_\_\_

  
\_\_\_\_\_  
Phyllis Loftis, CMC  
City Clerk

## Potential Vendor List

### Snow & Ice Removal

Haskell Lemon Construction Co  
3800 SW 10<sup>th</sup> Street  
OKC, OK 73147  
405-947-6069  
[blemon@haskelllemon.com](mailto:blemon@haskelllemon.com)

Markwell Paving Co  
1020 SW 21<sup>st</sup> Street  
OKC, OK 73108  
405-634-5353  
[darrell@markwellpaving.com](mailto:darrell@markwellpaving.com)

Schwarz Paving Co  
8251 West Reno  
OKC, OK 73127  
405-789-7203  
[debbie.judd@schwarzpaving.com](mailto:debbie.judd@schwarzpaving.com)

Shell Construction Co  
336 Falcon Dr  
OKC, OK 73127  
405-495-2063  
[shellconstruction@ymail.com](mailto:shellconstruction@ymail.com)

CP Integrated Services  
3800 Beacon Dr  
OKC, OK 73179  
405-823-2147  
[durindafisher@coxinet.net](mailto:durindafisher@coxinet.net)

Silver Star Construction Co  
2401 S Broadway  
Moore, OK 73160  
405-793-1725  
[recept@silverstarconst.com](mailto:recept@silverstarconst.com)

Nash Construction Co  
700 South Irving  
OKC, OK 73129  
405-672-2792  
[nashconbw@att.net](mailto:nashconbw@att.net)

Rudy Construction Co  
3101 NE 63<sup>rd</sup>  
OKC, OK 73121  
405-478-9900  
[info@rudyconstruction.com](mailto:info@rudyconstruction.com)

Shawnee Sand & Select  
43008 Benson Park Rd  
Shawnee, OK 74801  
405-878-6088  
[drw9994@yahoo.com](mailto:drw9994@yahoo.com)

Gilbert & Sons Trucking  
40610 Benson Park Rd  
Tecumseh, OK 74873

Michael's Dirty Deeds, LLC  
49600 Highway 3E  
Earlsboro, OK 74840  
405-275-9068  
[dirtworks69@gmail.com](mailto:dirtworks69@gmail.com)

BDC Homes  
1210 Gordon Cooper Drive  
Shawnee, OK 74801  
405-273-6217